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PATENT & TRADEMARK OFFICE

Attorney's Docket No. 35718/270454 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Tarczynski *et al.*
Appl No.:	10/686,064
Filed:	October 15, 2003
For:	METHODS FOR MODULATING WATER-USE EFFICIENCY OR PRODUCTIVITY IN A PLANT

October 29, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
CITATION UNDER 37 C.F.R. § 1.97

Attached is a list of documents on form PTO-1449.

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

All items are attached except those that were supplied in, or cited by the Office during prosecution of, parent Application No. 09/321,991, filed May 28, 1999. Since the benefit of this application was claimed under 35 U.S.C. 120, no copies need to be furnished in accordance with 37 C.F.R. 1.98(d); however, copies will be furnished on request.

Respectfully submitted,

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CERTIFICATE OF MAILING

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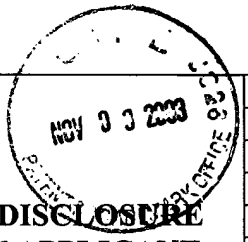
Lynda Jo Pixley

Substitute for form 1449/PTO
(Revised 04/2003)



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known	
Application Number	10/686,064
Filing Date	October 15, 2003
First Named Inventor	Tarczynski
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	35718/270454

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	1	5,538,879	7-23-1996	Muller-Rober *et al.*	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	English Language Translation Attached
	2	EP 0 212 649 B1	08-22-1986	Sumitomo Chemical Company, Limited		
	3	WO 93/18169	09-16-1993	Institut Für Genbiologische Forschung		
	4	WO 94/28180	12-8-1994	Bird *et al.*		
	5	JP 08 089250 A	04-09-1996	Mitsui Toatsu Chem, Inc.		
	6	EP 0 874 056 A1	01-20-1998	Director General of National Institute of Agrobiological Resources		
	7	WO 98/23757	06-04-1998	Leaver, Christopher, John University of Oxford Dept of Plant Sciences		
	8	EP 0874 056 A1	10-28-1998	Director General of National Institute of Agrobiological Resources		
	9	WO 01/46447 A2	06-28-2001	The Regents of the University of California		

Examiner Signature		Date Considered	

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 2 of 3	Attorney Docket Number	35718/270454

OTHER DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	English Language Translation Attached
	10	BIRKENHEAD, *et al.*, "Some Biochemical Characteristics of Guard Cell and Mesophyll Cell Protoplasts from *Commelina Communis* L.," *Journal of Experimental Botany*, 1986, pp. 119-128, Vol. 37(174).	
	11	DRINCOVICH, *et al.*, "NADP-malic Enzyme from Plants: A Ubiquitous Enzyme Involved in Different Metabolic Pathways," *FEBS Letters*, 2001, pp. 1-6, Vol. 490.	
	12	DU, *et al.*, "*In Vivo* Phosphorylation of Phosphoenolpyruvate Carboxylase in Guard Cells of *Vicia faba* L. Is Enhanced by Fusicoccin and Suppressed by Abscisic Acid," *Archives of Biochemistry and Biophysics*, 1997, pp. 345-350, Vol. 337(2).	
	13	FARQUHAR, *et al.*, "Stomatal Conductance and Photosynthesis," *Annual Review of Plant Physiology*, 1982, pp. 317-345, Vol. 34.	
	14	FURBANK, *et al.*, "Genetic Manipulation of Key Photosynthetic Enzymes in the C4 Plant *Flaveria* bidents.," *Journal of Plant Physiology*, 1997, pp. 477-485(24).	
	15	GALLARDO, *et al.*, "Monocotyledonous C4 NADP+-malate Dehydrogenase Is Efficiently Synthesized, Targeted to Chloroplasts and Processed to an Active Form in Transgenic Plants of the C3 Dicotyledon Tobacco," *Planta*, 1995, pp. 324-332, Vol. 197(2).	
	16	GEHLEN, *et al.*, "Effects of Altered Phosphoenolypyruvate Carboxylase Activities on Transgenic C3 Plant *Solanum tuberosum*," *Plant Molecular Biology*, 1996, pp. 831-848, Vol. 32.	
	17	GRILL, *et al.*, "A Plant's Dilemma," *Science*, 1998, pp. 252-253, Vol. 282.	
	18	JONES, H.G., "Breeding for Stomatal Characters, Stomatal Function," *Stomatal Function*, 1987, pp. 440-443.	
	19	KOGAMI, *et al.*, "Molecular and Physiological Evaluation of Transgenic Tobacco Plants Expressing a Maize Phosphoenolpyruvate Carboxylase Gene Under the Control of the Cauliflower Mosaic Virus 35S Promoter," *Transgenic Research*, 1994, pp. 287-296, Vol. 3.	
	20	KOPA, *et al.*, "Potato Guard Cells Respond to Drying Soil by a Complex Change in the Expression of Genes Related to Carbon Metabolism and Turgor Regulation," *The Plant Journal*, 1997, pp. 871-882, Vol. 11(4).	
	21	KU, *et al.*, "High-Level Expression of Maize Phosphoenolpyruvate Carboxylase in Transgenic Rice Plants," *Nature Biotechnology*, 1999, pp. 76-81, Vol. 17.	
	22	MANN, "Crop Scientists Seek a New Revolution," *Science*, 1999, pp. 310-316, Vol. 283.	
	23	MANN, "Genetic Engineers Aim to Soup Up Crop Photosynthesis," *Science*, 1999, pp. 314-316, Vol. 233.	
	24	NI, *et al.*, "Strength and Tissue Specificity of Chimeric Promoters Derived from the Otopine and Mannopine Synthase Genes," *The Plant Journal*, 1995, pp. 661-676, Vol. 74(4).	
	25	OUTLAW, *et al.*, "High Levels of Malic Enzyme Activities in *Vicia faba* L. Epidermal Tissue," *Plant Physiology*, 1981, pp. 1047-1051, Vol. 68.	
	26	RADEMACHER, *et al.*, "New Synthetic Analogues of Abscisic Acid: Their Influence on Water Consumption and Yield Formation in Crop Plants," *Structural and Function Responses to Environmental Stresses*, 1989, pp. 147-154.	

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	27	RASCHKE *et al.*, "Availability of Chloride Affects the Balance Between Potassium Chloride and Potassium Malate in Guard Cells of *Vicia faba* L.," *Plant Physiology*, 1978, pp. 84-87, Vol. 62.	
	28	ROTHERMEL, *et al.*, "Primary Structure of the Maize NADP-Dependent Malic Enzyme," *The Journal of Biological Chemistry*, 1989, pp. 19587-19592, Vol. 264(33).	
	29	SCHEIBE, *et al.*, "Malate Dehydrogenases in Guard Cells of *Pisum Sativum*," *Plant Physiology*, 1990, pp. 1358-1364, Vol. 93.	
	30	SCHNABL, *et al.*, "Determination of Malate Levels During the Swelling of Vacuoles Isolated from Guard-Cell Protoplasts," *Planta*, 1984, pp. 27-31, Vol. 161.	
	31	TALBOTT, *et al.*, "Central Roles for Potassium and Sucrose in Guard-Cell Osmoregulation," *Plant Physiology*, 1996, pp. 1051-1057, Vol. 111.	
	32	TARCZYNSKI, *et al.*, "The Interactive Effects of pH, 1-Malate, and Glucose-6 Phosphate on Guard-Cell Phosphoenolpyruvate Carboxylase," *Plant Physiology*, 1993, pp. 1189-1194, Vol. 103.	
	33	VAN KIRK *et al.*, "Presence of Chloride Reduces Malate Production in Epidermis During Stomatal Opening," *Plant Physiology*, 1978, pp. 361-364, Vol. 61.	
	34	ZEIGER, E., "The Biology of Stomatal Guard Cells," *Annual Review Plant Physiology*, 1983 pp. 441-475, Vol. 34.	

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